/

REMARKS

Review and reconsideration of the non-final Office Action mailed November 4, 2008 (hereinafter "Office Action"), is respectfully requested in view of the preceding amendments and the following remarks. This amendment is accompanied by a credit card authorization granting authorization to charge the $490 fee for a retroactive two-month extension of time and the $420 fee for three terminal disclaimers. Although no additional fees are believed due, the Commissioner is hereby authorized to charge any deficiency or credit any surplus to Deposit Account No. 14-1437.

At the time of the Office Action, claims 1-5 and 7-23 were pending. In the Office Action, claims 1-5, 7-11, 18 and 20-23 were rejected and claims 4, 8, 12-17 and 19 were objected to for being dependent on a rejected base claim. By this Amendment, claims 1, 4 and 7-9 are amended.

The amendments presented herein have been made solely to expedite prosecution of the instant application to allowance and should not be construed as an indication of Applicant's agreement with or acquiescence to the Examiner's position. Accordingly, Applicants expressly maintain the right to pursue broader subject matter through subsequent amendments, continuation or divisional applications, reexamination or reissue proceedings, and all other available means. The objections and rejections are addressed in more detail below.

Claim Objections

In the Office Action, claims 4 and 8 were objected to because of typographical errors with respect to the term "1,2-alkanediols." By this Amendment, claims 4 and 8 are amended to address this objection. In addition, claims 1 and 7 are amended to correct similar typographical errors. Accordingly, Applicants respectfully request that the objection be withdrawn.

_____/

Claim Rejections - 35 U.S.C. § 112, second paragraph

In the Office Action, claim 9 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter applicant regards as the invention. Specifically, the Office Action asserts that there is insufficient antecedent basis for the phrase "alkandiol mixture." Claim 9 has been amended to recite "the mixture of 1,2-alkanediols," which is consistent with claim 1. Accordingly, Applicants respectfully request that the rejection under 35 U.S.C. § 112, second paragraph, be withdrawn.

Claim Rejections – Double Patenting

In the Office Action, claims 1-5, 7-8, 10-11, 18 and 20-23 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-4 and 12-13 of co-pending Application No. 11/254,346; claims 1-5, 7-10 and 20-23 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-8 of co-pending Application No. 11/460,587; and claims 1-5, 7-8 and 20-23 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-10 of co-pending Application No. 11/721,113. Although Applicants respectfully disagree with the assertion of the obviousness-type double patenting rejection, and expressly reserve the right to challenge any obviousness-type double patenting rejection in the relevant co-pending applications, Applicants submit herewith three terminal disclaimers and the requisite fee in order to expedite prosecution of the instant case to allowance.

Conclusion

For at least the reasons set forth above, the independent claims are believed to be allowable. In addition, the dependent claims are believed to be allowable due to their dependence on an allowable base claim and for further features recited therein. The application

_____/

is believed to be in condition for immediate allowance. If any issues remain outstanding, Applicant invites the Examiner to call the undersigned, Greg Lefkowitz (direct line 561-838-5229 x228), if it is believed that a telephone interview would expedite the prosecution of the application to an allowance.

Respectfully submitted,

NOVAK DRUCE + QUIGG, LLP

/Gregory M. Lefkowitz /

Date: **March 26, 2009**

Gregory A. Nelson, Reg. No. 30,577
Gregory M. Lefkowitz, Reg. No. 56,216
525 Okeechobee Blvd., Fifteenth Floor
West Palm Beach, FL 33401
Telephone: 561-838-5229 x228
Facsimile: 561-838-5578